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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,704	07/21/2003	Wen-Sheng Huang	BHT-3101-191	4382

7590 01/26/2005

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FALLS CHURCH, VA 22041

EXAMINER

LAVINDER, JACK W

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,704

Applicant(s)

HUANG, WEN-SHENG

Examiner

Jack W. Lavinder

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7,9,11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7,9,11,13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 2, 3, 6, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parsons, 5802888 in view of Vesely, 3808847.
3. Regarding claim 13, 2, and 9, Parsons discloses a fastening strap structure (12, 14, figure 1) comprising a strap body made of a plastic material (12, 14), a series of stop teeth located on the outer face of the body (28, figure 4, also, the hidden lines in figure 1 at reference numeral 12, indicate that the teeth are positioned all along the strap body, from the tip to the base, 35) and a flexible metal reinforcing string (15) embedded in the strap body along the entire length of the strap (col. 5, lines 8-11).

Parsons fails to disclose a multi-strand cable.

Vesely discloses a strap (42, 52) having a multi-strand cable (42), which has irregularities to promote a firm bond between the sheath (rubber covering) and the cable.

It would have been obvious to a person having ordinary skill in the art to substitute Parson's single strand cable with a multi-strand cable, as taught by Vesely, in order to promote a stronger, firmer bond between the plastic strap and the multi-strand cable.

Regarding claims 3, 6, and 7, Parsons discloses a strap body having a rectangular cross-sectional shape, but fails to disclose a strap having a circular, square or elliptical cross sectional shape.

The specification fails disclose solving any stated problem by making the strap with a circular or square or elliptical cross sectional shape. And it appears that any of those shapes will work equally as well as the other.

It would have been an obvious alternative in design choice to change the rectangular cross sectional shape of Parsons' strap to have either a square or elliptical or circular cross sectional shape.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parsons in view of Vesely, as applied above and further in view of Zappa, 6449808.

Regarding claim 4, Parsons discloses teeth (28) with a rectangular/straight configuration.

Parsons fails to disclose annular teeth disposed on the outer face of the strap body.

Zappa discloses that it is old and well known to use annular teeth (14) on the outer surface of a strap body (8). This type of strap and tooth arrangement performs the identical function of securing the strap in the lock of the device (6) equally as well as the device in Parsons. The specification fails to state solving any specific problem by using the annular teeth over the rectangular teeth in the strap body.

It would have been an obvious alternative in design choice to use a circular strap with annular teeth, as taught by Zappa, in place of Parsons' strap and tooth arrangement.

Regarding claim 5, Parsons discloses teeth (28) with a rectangular/straight configuration.

Zappa discloses that it is old and well known to use annular teeth (14) on the outer surface of a strap body (8).

Parsons fails to disclose spiral teeth disposed on the outer face of the strap body.

Parsons' and Zappa's strap and tooth arrangement appears to perform the function of securing the strap to a locking device equally as well as applicant's spiral tooth and strap arrangement. Furthermore, the specification fails to state solving any specific problem by using the spiral teeth over the rectangular teeth in the strap body.

It would have been an obvious alternative in design choice to use a strap with spiral teeth in place of Parsons in view of Zappa's strap and tooth arrangement.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parsons in view of Eberle, 3518727.

Regarding claim 11, Parsons discloses teeth (28) formed transverse to the longitudinal direction of the strap body.

Applicant's invention claims that the teeth are formed in the longitudinal direction of the strap body.

Eberle discloses a strap body having teeth (28, 32) formed in the longitudinal direction of the strap body in order to allow the strap to be interlocked in a loose

configuration (figure 2) and then adjusted to securely fit the items being bundle without the possibility of the strap becoming disengaged and falling off (figure 3).

It would have been obvious to a person having ordinary skill in the art to substitute Parsons locking/strap arrangement, with the longitudinal tooth arrangement, as taught by Eberle, as a alternative design since the specification fails to disclose solving any stated problem by using the longitudinal tooth configurations over the rectangular tooth configurations and it appears that either type of arrangement would work equally as well as the other.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Speedie discloses a strap with teeth arranged in a semi-spiral pattern along the strap.

Response to Arguments


7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack W. Lavinder whose telephone number is 703-308-3421. The examiner can normally be reached on Mon-Friday, 9-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jack W Lavinder
Primary Examiner
Art Unit 3677

1/24/05